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Box 1/seq

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): BODINE, Peter Van
Nest et al. EXAMINER:

SERIAL NO.: 10/642,503 GROUP ART UNIT:

FILED: August 18, 2003 ATTORNEY DOCKET No.: P-4921-US

FOR: BMP-2 ESTROGEN RESPONSIVE ELEMENT AND METHODS OF
USING THE SAME

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Sir:

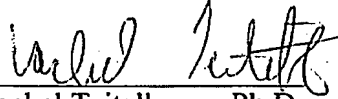
In response to the Notice to Comply with Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures mailed July 18, 2005 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ a paper copy of the "Substitute Sequence Listing" in compliance with 37 C.F.R. 1.821-1.825;
2. ☒ a computer readable form (CRF) copy of the "Substitute Sequence Listing" in compliance with 37 C.F.R. 1.821-1.825 and
3. ☒ a statement that the information recorded in computer readable form is identical to the written sequence listing, the "Substitute Sequence Listing" contains only information included in the disclosure of the application as filed, and support for the amendment to the Sequence Listing in the application as filed..

A response is due September 18, 2005. Accordingly, this response is being timely filed.

If any additional fee is required, the undersigned attorney hereby authorizes the Patent Office to charge such additional fee to Deposit Account 50-3355.

Respectfully submitted,



Rachel Teitelbaum, Ph.D
Attorney for Applicant(s)
Registration No. 56,708

Dated: August 17, 2005

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TO: LHZ

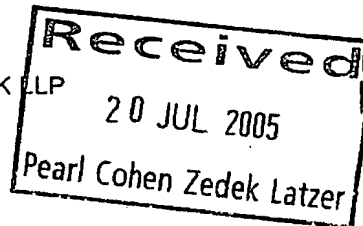
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/642,503	08/18/2003	Peter Van Nest Bodine	P-4921-US

27130

EITAN, PEARL, LATZER & COHEN ZEDEK LLP
10 ROCKEFELLER PLAZA, SUITE 1001
NEW YORK, NY 10020



CONFIRMATION NO. 1722

FORMALITIES LETTER



Date Mailed: 07/18/2005

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed
Office of Initial Patent Examination (703) 308-1202

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